

RULING ON ENTRY OF DESERT LANDS

What It Is Necessary to Show When Offering to Make Final Proof.

BY A. F. PHILLIPS.

Tribune Bureau, National Hotel, Washington, D. C., March 6.

On July 23rd of last year the Interior department through the General Land office accepted the final proof of John Cunningham under his desert land entry in Lander, Wyo., district.

Writing to the Commissioner of the General Land office under recent date regarding the decision cited Secretary Hitchcock says:

It is possible that some expressions in that decision may be taken as indicating a purpose to encourage the offer and sanction the acceptance of final proof in desert land entries that do not clearly establish a strict compliance with all the requirements of law. Such a result was not contemplated when that decision was rendered, nor does the department intend that there shall be any relaxation in the enforcement of the requirement that such proofs shall conclusively demonstrate the land and regulations governing such matters have been complied with in every essential particular.

Possibly the proof in that case was not so clear and explicit as such proofs should be, yet it is not deemed necessary or advisable to recall the decision excepting it, for further consideration for the purpose of laying down with greater exactness the proper rule to be observed in passing upon final proof in desert land entries.

Proof which shows that because of irrigation there is on the land "a marked increase in the growth of grass," or that "grass sufficient to support stock has been produced on all the land," will not be accepted as showing a compliance with that provision of the amendatory act of 1891 (Stat. 1869), "that proof be further required of the cultivation of one-eighth of the land." Actual tillage must be shown. If, however, it be shown, and it must be made to conclusively appear, that because of climatic conditions, crops other than grass cannot be successfully produced, or that actual tillage of the soil will destroy or injure its productive qualities, the actual reproduction of a crop of hay or merchantable value, as a result of actual irrigation, may be accepted as a sufficient compliance with the requirement as to cultivation.

The entryman has an absolute right to sufficient water to successfully irrigate the land; that the system of ditches to conduct the water to and distribute it over the land is adequate for those purposes, and that the land has been actually irrigated for a sufficient period of time to demonstrate the sufficiency of the system, are essential facts which must in all cases be clearly established by the landowner. To take such measures as may be proper to bring the matters to the attention of the local land officers.

There will be no maps of the United States for the year 1903 distributed by the Government for the reason that all the plates and maps of the year 1902, which had only recently been completed by a firm in Baltimore were burned in the great conflagration which destroyed the business section of that city two weeks ago. Twenty thousand maps had been printed, but not delivered to the United States, and these, together with the plates, were burned. The Government has decided not to have maps re-engraved, but will later on have maps re-engraved for the present year.

POSTAL CHANGES IN THE WEST

BY A. F. PHILLIPS.

Tribune Bureau, National Hotel, Washington, D. C., March 6.

These Presidential Postmasters have been commissioned: John Larson, Hope, Ida; Charles W. Wilson, Sandpoint, Ida; Morris F. Smith has been declared a falling bidder on the star route from Rouseba to Rumbler, Wyo., and Robert L. Deal and William Englehart falling auresles. Service has been awarded to Thomas L. Elwood of Rumbler at \$120.

Star service with box delivery and collection has been established between Oregon and Murphy, Ida, six times a week. John Matthews of Oregon is contractor at \$60.

Like service has been established between Woodman and Lo Lo Hot Springs, Mont., three times a week from June to November; residue one time a week. Star service established between South-west and Kendrick, Ida, six times a week.

Star service established between Vernal and Bapah, Utah, three times a week, Monday, Wednesday and Saturday.

CHARGED WITH SENDING POISON CANDY TO ENEMY

BOONE, Ia., March 6.—Mrs. Sherman Dye is under arrest here, charged with having sent poisoned candy to Miss Rena Nelson at Pierre, S. D.

Miss Nelson, who is reported to be in a dying condition, was formerly an operator in the Boone telephone exchange.

When arrested Mrs. Dye denied any knowledge of the poisoning of Miss Nelson, but admitted that she had cause for grievance against the young woman.

A Guaranteed Cure for Piles.

Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money if PAXO OINTMENT fails to cure you in 6 to 14 days. 50c.

Self-Sacrifice Week in Russia.

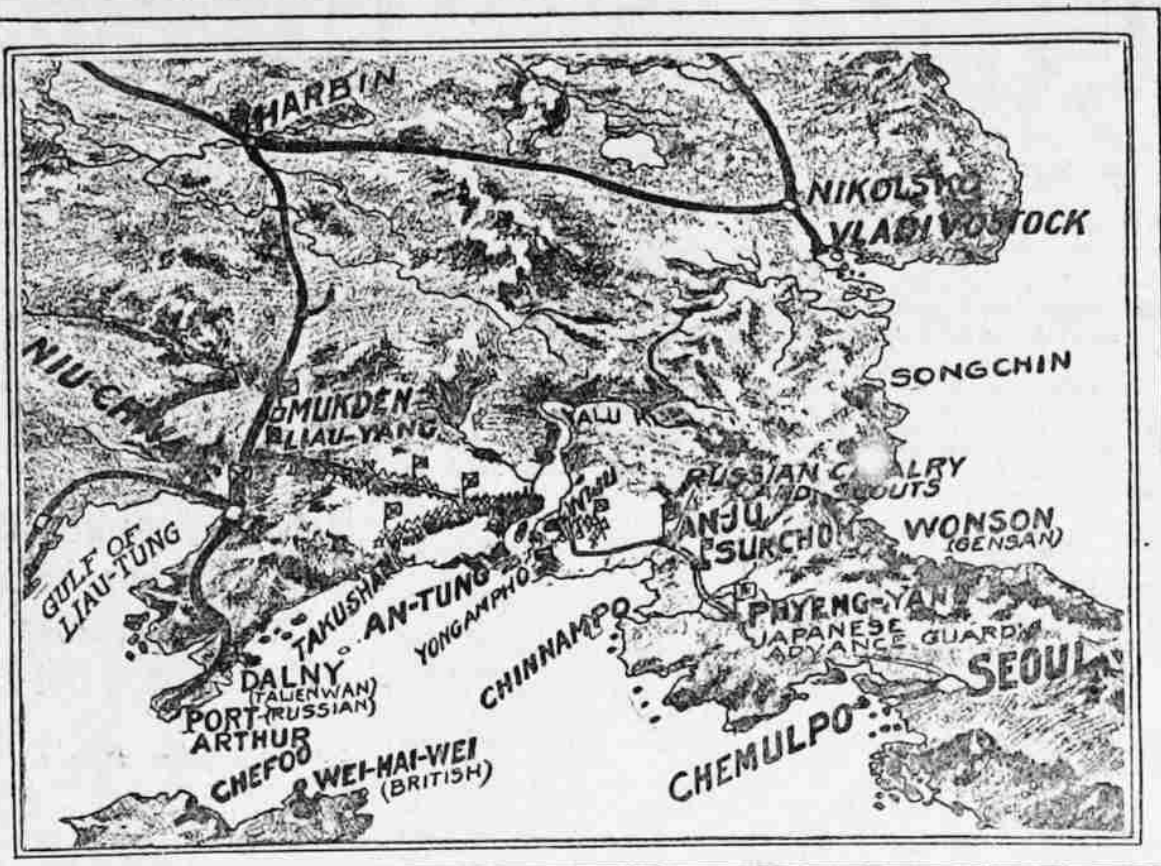
VORONESH, Russia, March 6.—The fourth week in Lent will be observed here as a week of self-sacrifice, and the proceeds will be devoted to the purpose of the Red Cross society.

DEAD OF THE DARLINGTON NOW NUMBER TWENTY

NEW YORK, March 6.—Three more bodies were recovered today from the wreck of the Darlington hotel, making the total number of fatalities twenty. They are believed to be bodies of workmen employed on the structure.

CASTORIA

Bears the Signature of *Chas. H. Pritchard*



WHERE RUSSIAN TROOPS ARE MASSED ALONG THE YALU AND IN NORTHERN KOREA.

Antung, which is to be a base, is being heavily fortified and for resistance, and a large number of troops are now massed there.

Scouts near Anju are being withdrawn toward Kasan.

BIG GUNS OF MIKADO'S FLOATING FORTS HURL 12-INCH GUNS AT VLADIVOSTOK

(Continued From Page 1.)

Friday night during a heavy snowstorm.

The Daily Telegraph's Chefoo correspondent says the Russians are still employing thousands of coolies at Port Arthur and Dalny on entrenchments and new forts, and that they are also mounting over a hundred guns to protect the neck of the isthmus.

JAPANESE REGIMENTS ADVANCING ON MUSHAN

ST. PETERSBURG, March 6.—Advices from Vladivostok say that the 2500 Japanese troops who landed at Plakien (on the east coast of northern Korea) are advancing toward Mushan (218 miles from Gensan) with the intention of ultimately reaching Hunchun (on the left bank of the Tumen river, about 100 miles west of Vladivostok), and threatening the Russian flank.

In order to checkmate this move the Russian outpost, 1500 strong, which recently crossed the Tumen, is advancing to occupy Koyroing, on the Tumen river, a walled city commanding the trains along which the Japanese must pass.

The naval mobilization foreshadowed in these dispatches was partially decided upon today. Three Eastern provinces of European Russia, Vyatka, Perm and Ufa, are included in the plan, the purpose stated being the strengthening of the crews of the Pacific squadron.

BARBED WIRE DEFENSES FOR PORT ARTHUR

YINKOW, March 6.—Refugees arriving here say that Port Arthur has not been attacked since February 29th, but that stores and ammunition are still arriving.

Work on the mud dock in which it is expected to repair the battleship Carevitch has been abandoned for the past three days. The foreign engineers, being unable to raise the Retzky, have quit Port Arthur, together with the other Anglo-Saxons there.

That considerable damage within the fortifications has been caused by the Japanese fire from Pigeon bay is corroborated, and the defenses on that side are being strengthened by barbed wire entanglements and additional artillery.

Street traffic in Port Arthur, the refugees say, is largely confined to the ammunition carts. All the forts have been provided with naval signal offices for the purpose of identifying Russian ships and preventing the forts from firing on them when they arrive.

The derailment of one car yesterday north of Dalny by an obstacle on the track delayed trains for fifteen hours, and a serious accident was only avoided by the low speed at which the train was running.

RUSSIA'S FIGURES ON COST OF WAR

PARIS, March 6.—The St. Petersburg correspondent of the Echo de Paris cables that he has had an interview with Finance Minister Kokovloff, who declared that the issue of the war was not doubtful. The Minister said that, even assuming the most unfavorable hypothesis the vital resources of the country will not be touched.

The expenditure, he said, must not be compared with Great Britain's enormous expenditure in South Africa. Russia will not have to buy \$75,000,000 worth of horses abroad. The most that will be spent in this direction will be \$2,000,000 and it will all be spent within the empire. Similarly the cost of transporting the troops will not go out of the empire, but will swell the receipts of the State railways.

The Minister denied that there was any danger of panic with the withdrawal from the savings banks, and said that the greater risk of panic would be among the foreign holders of Russian securities, but, he added, these foreign holders appear to be reassured by the events of the past few weeks.

TERRIBLE HARDSHIPS FACING REFUGEES

Road From Seoul to Pingyang Broken and Ice-Covered—Japan Missing 100,000 Men at Pingyang.

LONDON, March 7.—The Daily Mail's Pingyang correspondent, under date of March 3rd, described great difficulties met with on the road from Seoul. He says that recent thaws broke up the roads, which again have become frozen over, while from time to time there are severe snowstorms.

One pass which the correspondent traversed was covered with sheets of sloping ice. The country as far as Hwangju is mountainous and impenetrable from the north, but afterward it becomes more open. He says it is pitiful to see the terror of the Korean refugees fleeing through the snow with their household goods.

Cabling under yesterday's date, the correspondent says that the missionaries are averse to leaving Pingyang and are not likely to accept the offer of United States Minister Allen to allow refugees to go aboard the United States cruiser Cincinnati, as they believe they will be able to escape later should the situation become acute.

The Mail's Chefoo correspondent describes a visit he made to Chinnampo. He says the country thence to Pingyang is impassable, owing to the thaw. The villages are deserted and horses and provisions cannot be obtained, everything having been bought up by the Japanese.

"I am informed," said the correspondent, "that there will be no advance until 100,000 men have been concentrated at Pingyang. It is thawing inland, and the waterways have greatly helped the transportation arrangements. The Japanese are busy at every landing place and are buying all suitable craft along the coast."

"At noon Friday the transport steamers conveyed the troops to Takao and two torpedo boats landed men and stores ten miles below Hwangju. "Coastguards are keeping a sharp watch on the Japanese movements."

WAR DISTRESSES KING EDWARD

PARIS, March 7.—The Mail's London correspondent sends to his paper the report of a conversation he had last evening with a personage intimate with King Edward, who had just left the palace. This personage said the King spoke on the subject of the war in the far East, and he repeated his Majesty's words as follows: "I am distressed at the Russo-Japanese war, which I consider a deplorable event. On the other hand, I consider that our good understanding with France has never been more useful than at present, and believe that it is likely to become more and more useful, not only in the interest of France and Great Britain, but in the higher interest of general peace."

"Should complications arise, despite all efforts to prevent them, the union between France and England will render the greatest service. That union must be closely maintained for the good of all, whatever may happen. I hope the press of all countries, the English press included, will strive to attenuate difficulties rather than to aggravate them."

The correspondent adds that the interview was not only a subject of conversation of the King's words, but read the correspondent's dispatch, affirming that his Majesty's remarks were correctly rendered.

ent, "that there will be no advance until 100,000 men have been concentrated at Pingyang. It is thawing inland, and the waterways have greatly helped the transportation arrangements. The Japanese are busy at every landing place and are buying all suitable craft along the coast."

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FOUGHT TO GET FOOD FOR THEIR CHILDREN

ST. PETERSBURG, March 6.—The wife of a naval officer gives a graphic account of the bombardment of Port Arthur, February 9th, and the flight of women and children the next day.

She was awakened in the middle of the night by the heavy reports of the guns, and her first thought was that they were due to blasting operations at the dockyard, but when the guns of the forts began to boom she awoke the servants, who were terror-stricken.

She went out on the balcony and saw the searchlights wildly swirling. The town was deserted except in front of the residence of Viceroy Alexieff.

The officer's wife, with an infant, took a train from Port Arthur in the morning, and she describes the awful crowd at the station, and also at Dalny, where she learned of the fate of the Varlag at Chemulpo.

Great hardships were suffered by the travelers until they reached Irkutsk, eighteen days later. The trains and stations were crowded, and the woman found it impossible to even lay her baby down on the floor of the car, which was covered with baggage.

She says that mothers fought to get food for their children.

ODDS AND ENDS FROM THE SEAT OF WAR

YINKOW, March 6.—The removal of the furniture of the police and military quarters at Newchwang, the withdrawal of unnecessary rolling stock and equipment from the Newchwang railway terminus and the removal of silver from the banks indicates an intention of evacuation of Newchwang. The bank authorities have arranged to leave French and German agents in charge of their interests.

A large force of cavalry is expected to return to Newchwang before the river opens, for the purpose of maintaining patrols between the main railway and the sea and of reconnoitering the coast.

Russian private letters disclose the fact that in the recent engagements between the Yalu river and Pingyang the Russians, with superior numbers, defeated the Japanese, but lost heavily.

The Standard's St. Petersburg correspondent telegraphs, under reserve, a story to the effect that a party of Japanese, disguised as Tartars, were arrested by a guard of the Siberian railway bridge at Syran on the river Volga, having packages of dynamite in their possession.

A special dispatch from Tientsin estimates that there are 30,000 Tungese irregulars in southern Manchuria, largely led by patriotic Japanese who volunteered for the dangerous work.

ICE FLOES OF ARCTIC HIDE TRACE OF TOLL

ST. PETERSBURG, March 6.—Answering an inquiry concerning the fate of Baron Toll, the explorer who was recently reported to have perished in the Arctic ocean, M. Doudoroff, secretary of the Academy of Sciences, says that he has received not a word of news for some time. Another expedition is now searching for him. The belief now is that the Baron has been lost.

The Bourse Gazette offers a reward for information establishing the explorer's death.

Nothing has been heard from Baron Toll since he left the yacht Zaria May 23, 1902.

in company with Yakuts and started for Bennett Island. The Zaria left her winter quarters early in June, 1902, to find Baron Toll and his associate, Zoologist Bilibin, but was unsuccessful in its mission, and returned to the Lena river, Bilibin escaped across the ice.

Three relief parties were sent out by the academy early in 1903, one of them being under the command of Lieut. Kolchak.

A dispatch from Yalutsk, eastern Siberia, dated January 15th last, said that boatmen of the expedition commanded by Lieut. Kolchak had arrived there and reported that the effort of the expedition to find Baron Toll had been unsuccessful. Baron Toll left documents on Bennett Island showing that he had turned southward November 8, 1902.

WORLD'S OLDEST MAN ANSWERS DEATH CALL

NEW YORK, March 6.—Noah Raby, believed to be the oldest man in the world, died last week at the Piscataway poorhouse near New Brunswick, N. J. He was nearly 132 years old.

He had long been fighting the end, which many times in past years seemed at hand, but a constitution that has been the marvel of medical men carried him through crises that would have proved fatal to the average man of half his age.

Almost up to the last of his life the remarkable man was clear and his memory, carrying him back to the days when the Republic was in its infancy, made him a most interesting conversationalist.

"Uncle Noah," as he was known, until recently had an idea that he could not die, and used to say with a hearty laugh that he would easily live 200 years.

But time, which conquers all things, has at last claimed him, leaving the body that has resisted the ravages of more than a century and a quarter a worn-out wreck. Disease could not kill him, but, being mortal, old age finally reached its limit.

"Uncle Noah" has always been most positive about his age, declaring that he was born at Gatesville, N. C., on April 1, 1772, and has offered so many proofs that no one has doubted his word. When he was taken to the Piscataway poorhouse, about forty years ago, he was a very aged man, and the oldest inhabitants could not remember him as anything but as a man of advanced years.

ST. PETERSBURG, March 6.—The correspondent of the Mail at Tokio says that a banquet given Thursday to the American war correspondents, the Vice-Minister of Foreign Affairs, in thanking the American nation for support hitherto given to Japan, declared that the Government reckoned upon receiving even more effective assistance from the United States in the future.

The correspondent says he has reason to believe that the Vice-Minister alluded to the proposed loan in connection with the Japanese loan, former Minister of Justice and vice-president of the Bank of Japan, has gone to the United States.

The subscription for the loan, opened March 1st, now amounts of \$29,600,000.

SENATE LIMELIGHT TO BE TURNED ON TODAY

(Continued From Page 1.)

glance and they explicitly the commands of what is termed the first presidency of the church.

That the president of the church, Joseph F. Smith, and several of the apostles of the church are living openly with polygamous wives.

That members of the church are not free agents; that is to say, if a member of the Mormon church seeks political preferment and desires to run for office he must first secure the sanction of the dominant head of the church.

That Reed Smoot before putting himself before the public as a candidate for United States Senator sought and obtained the consent of the twelve, as well as of President Smith and his associates in the first presidency.

That Moses Thatcher, once also an apostle and candidate for the Senate, neglected to get this consent, was not only defeated, but was ousted from his position as an apostle.

That since the admittance of Utah to Statehood in 1896, one of the conditions of which was that the laws in regard to polygamy should be strictly observed and obeyed. President Smith and others of the church have repeatedly violated the laws.

That legislation in Utah that does not meet with the views of the church is opposed by the Mormons in a body, and if passed is fought in the courts.

Since arriving here last Tuesday President Smith and the other Mormon witnesses have kept closely to themselves, going from their rooms in the Raleigh hotel to the committee-room and back again.

Attempts to see and interview individual members of the party are unavailing.

JAPANESE SPIES FALL INTO HANDS OF RUSSIANS

KRONSTADT, March 6.—Four Japanese spies are said to have been arrested here. Admiral Bilibin has inspected the ships which are here preparing to be put in commission.

A \$75,000 Blaze.

DECATUR, Ill., March 6.—The Race Clothing and Manufacturing store was burned today. Loss, \$75,000.

FLOODWATERS HAMMER AND WEAKEN ICE GORGES

(Continued From Page 1.)

gorges up the river have been gradually moving down toward the city.

At 10 o'clock tonight the ice had formed a temporary gorge five miles above the city. At the bridge of the Toledo Railway and Terminal company, a mile below the gorge, the water is nineteen feet above the normal stage.

The gorges took out three piers of the Union & Interurban Railway company's bridge across the river at Maumee City, and also did much damage to the wagon bridge across the river at that point, but did not take the bridge.

In the city the water was about seven feet above the normal stage and was rising at the rate of about six inches an hour. Guards are stationed at points along the river and are keeping the officials in this city informed as to the situation.

MARYLAND TOWNS IN DANGER.

PORT DEPOSIT, Md., March 6.—The ice gorge in the Susquehanna river at this point has resisted the pressure of the flood for thirty-six hours, but now shows signs of weakening. The tracks of the Port Deposit and Columbia railroad, which follow the east bank of the river, are submerged for a distance of three miles, and north of Main street, which parallels the railroad a few yards distant, is the bed of a roaring stream. The dwellings which stand between the tracks and the streets have been vacated and are filled with water to a depth of several feet.

A line of rip-rapping which the railroad company constructed for the protection of its tracks has prevented a general movement of the ice shoreward, and so long as the ice is retained within the river

bounds the damage is reduced to a minimum.

Reports received into today are encouraging, and the indications are that the water will go no higher. The great field of ice at the head of Chesapeake bay has moved off and thus reduced the length of the gorge from 10 to 4 miles in length.

TOWERING GORGES.

YORK, Pa., March 6.—Flood conditions along the York county shore of the Susquehanna are tonight rather uncertain. The ice is being held by Hartman's Island, near New Holland, but it is expected to start again at any minute, and if it does great damage is expected. For miles towering gorges present a magnificent spectacle, and here and there is devastation and ruin.

Sheely's Island, near Goldsboro, is partially submerged tonight, and on it are John and George Barker, their mother, their wives and eight children. The Governor will tomorrow send State officials to the scene in an effort to remove the families from their perilous position.

IN NEBRASKA.

FREMONT, Neb., March 6.—The flood situation is practically unchanged and the water is still at the high mark reached Saturday.

The ice in the Platt river has moved slowly during the day, but the gorge which caused the water to spread over the lowlands remains intact. The Union Pacific railroad is still unable to move trains east of the city. Officials of the road are preparing to dynamite the gorge and to run a steam launch up the river with which to repair the damaged bridge at Valley.



HARBOR OF VLADIVOSTOK.

The initial attack on this Russian naval station in Siberia was made yesterday. It was announced several weeks ago that as soon as ice in the harbor began to break up the Japanese would move against the port.

AMERICAN CORRESPONDENTS BANQUETED AT TOKIO

PARIS, March 7.—The correspondent of the Mail at Tokio says that a banquet given Thursday to the American war correspondents, the Vice-Minister of Foreign Affairs, in thanking the American nation for support hitherto given to Japan, declared that the Government reckoned upon receiving even more effective assistance from the United States in the future.

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